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LETTER DATED 20 DECEMBER 1999 FROM THE PERMANENT REPRESENTATIVE OF ERITREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward to you the attached press statement issued today, 20 December 1999, by the Ministry of Foreign Affairs of Eritrea on the Arbitration Tribunal's decision regarding the maritime boundary between Eritrea and Yemen in the Red Sea.

I should be grateful if you would kindly circulate the text of the present letter and its annex as a document of the Security Council.

(Signed) Haile MENKERIOS
Ambassador
Permanent Representative

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Annex

Press release issued on 20 December 1999 by
the Ministry of Foreign Affairs of Eritrea

Tribunal decides maritime boundary between Eritrea and Yemen
in the Red Sea to constitute median from coastlines

The Arbitration Tribunal formed to adjudicate the territorial sovereignty of islands in the Red Sea and to delimit the international maritime boundary between the two countries announced its second and final award on Friday, 17 December 1999 in London.

The Foreign Minister of Eritrea, Haile Woldense, and the Ambassador to London from Yemen, Dr. Hussein Abdullah El-Amri, received the award. The decision of the five judges of the Arbitration Tribunal was unanimous.

The main decisions of the Arbitration Tribunal in the second award constitute, inter alia:

- "That the international boundary shall be a single all-purpose boundary which is a median line and that it should, as far as practicable, be a median line between the opposite mainland coastlines". The primary consideration influencing the decision is the fact that "title over Jabal al-Tayar and the Zubayr group and over the Zuquar-Hanish group was found by the Tribunal to be indeterminate until recently". The two northern groups of islands were therefore given no maritime zones at all and the Zuquar-Hanish group was given minimal effect. Eritrea's islands were, on the other hand, all given the usual maritime zones.

- "It entitles both Eritrean and Yemeni fishermen to engage in artisanal fishing around the islands which, in its first award on sovereignty, the Tribunal attributed to Yemen. This is to be understood as including diving carried out by artisanal means for shells and pearls. Equally, these fishermen remain entitled freely to use these islands for those purposes traditionally associated with artisanal fishing - the use of islands for drying fish; for way stations, for the provision of temporary shelter and for the effecting of repairs". The Tribunal explicitly noted that "any administrative measures impacting upon these traditional rights shall be taken by Yemen with the agreement of Eritrea".

At this juncture, the Government of Eritrea wishes to underline the crucial role played by the French Government in brokering and making the Arbitration Agreement possible with remarkable competence and commitment, and expresses its gratitude for all its endeavours, including its vital contribution to confidence-building in the early days of the dispute. The Government of Eritrea also thanks the British Government for providing its good offices for the effective functioning of the Arbitration Court in its first session and the International Court of Justice for facilitating the second session of the Court.

The Government of Eritrea expresses its pleasure at the manner in which the dispute has been resolved on the basis of international law and the long-term fraternal interests of both peoples and countries. In this spirit, the Government of Eritrea expresses its deep appreciation to the Government and people of Yemen for their exemplary contribution.

The Government of Eritrea reaffirms that it will be bound by all the decisions of the Arbitration Court as it has consistently done so before and in accordance with the provisions of the Arbitration Agreement signed by both parties on 3 October 1996.

Enclosure

Map issued by Arbitration Tribunal depicting maritime boundary